

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director/(954) 797-1101
Prepared by Todd Vargo, Planner I

SUBJECT: Resolution
DG 11-2-02 Orange Drive - Pine Island Plat, 4200 Alpine Wood Road/Generally located north of Orange Drive, east of Pine Island Road.

AFFECTED DISTRICT: District 3

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF "THE ORANGE DRIVE - PINE ISLAND PLAT", AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: Petitioner is requesting to amend the restrictive note on "The Orange Drive - Pine Island Plat" from "This plat is restricted as follows: Parcel 'A' - 15,000 square feet of commercial, Parcel 'B' - 118 detached single family homes, Parcel 'C' - 4.26 acres of public park, Parcel 'D' - 0.59 acres of utility site" to "This plat is restricted as follows: Parcel 'A' - 13,000 square feet of commercial and a charter school comprised of 18,288 square feet of elementary school use and 9,144 square feet of middle school use, Parcel 'B' - 118 detached single family homes, Parcel 'C' - 4.26 acres of public park, Parcel 'D' - 0.59 acres of utility site."

Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site.

PREVIOUS ACTIONS: None

CONCURRENCES: None

FISCAL IMPACT: None

RECOMMENDATION: Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Attachments: Resolution, Planning Report, Plat, Future Land Use Map, Zoning and Aerial Map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF "THE ORANGE DRIVE - PINE ISLAND PLAT", AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as the Orange Drive - Pine Island Plat (PB 148, PG 31) was approved by the Town Council of the Town of Davie on August 15, 1990; and

WHEREAS, the owners desire to revise the restrictive note associated with said plat; and

WHEREAS, Broward County requires that the Town of Davie concur with this revision prior to a review of the proposed revision by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve of the proposed revision to the restrictive note shown on the Orange Drive - Pine Island Plat. The proposed revision being specifically described on the planning report attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2002.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2002.

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation

APPLICANT INFORMATION

<u>Owner:</u>		<u>Agent:</u>	
Name:	Somerset Academy Charter School	Name:	Craven Thompson and Associates, Inc.
Address:	3255 Bird Road	Address:	3563 NW 53 Street
City:	Miami, FL 33155	City:	Fort Lauderdale, FL 33309
Phone:	(305) 796-2618	Phone:	(954) 739-2002

BACKGROUND INFORMATION

Application History: No deferrals have been requested.

Application Request: Petitioner is requesting to amend the current plat note restriction on the "Orange Drive - Pine Island Plat" from "This plat is restricted as follows: Parcel 'A' - 15,000 square feet of commercial, Parcel 'B' - 118 detached single family homes, Parcel 'C' - 4.26 Acres of public park, Parcel 'D' - 0.59 acres of utility site" to "This plat is restricted as follows: Parcel 'A' - 13,000 square feet of commercial and a charter school comprised of 18,288 square feet of elementary school use and 9,144 square feet of middle school use, Parcel 'B' - 118 detached single family homes, Parcel 'C' - 4.26 acres of public park, Parcel 'D' - 0.59 acres of utility site."

Address/Location: 4200 Alpine Wood Road/Generally located north of Orange Drive, east of Pine Island Road.

Future Land Use Plan Designation: Residential 5 Dwelling Units/Acre

Zoning: B-3 - Planned Business Center District, PRD-5 (County), R-5 - Residential Single Family Low/Medium Density Dwelling District, RM-5 - Residential Multi-Family Low/Medium Density Dwelling District, U - Utility

Existing Use: 9,038 square feet of commercial use (Parcel A), 118 detached single family homes (Parcel B), a community park (Parcel C), utilities (Parcel D).

Proposed Use: 13,000 square feet of commercial and a charter school comprised of 18,288 square feet of elementary school use and 9,144 square feet of middle school use (Parcel A), 118 detached single family homes (Parcel B), 4.26 acres of public park (Parcel C), and 0.59 acres of utility site (Parcel D).

Parcel Size: 33.424 acres (1,455,944 square feet)
Parcel 'A': 4.672 acres (203,531 square feet)
Parcel 'B': 23.405 acres (1,019,508 square feet)
Parcel 'C': 4.261 acres (185,624 square feet)
Parcel 'D': 0.594 acres (25,853 square feet)
ROW Ded.: 0.492 acres (21,428 square feet)

	<u>Surrounding Uses:</u>	<u>Surrounding Land</u> <u>Use Plan Designation:</u>
North:	Residential	Residential (5 DU/acre)
South:	Commercial, Community Facility	Commercial, Community Facility
East:	Vacant	Commercial
West:	Lake, and Vacant	Commercial, Residential (10 DU/acre)

	<u>Surrounding Zoning:</u>
North:	PRD 5 – Planned Residential Development (County)
South:	B-2 – Community Business District, CF – Community Facilities
East:	B-2 – Community Business District
West:	B-2 – Community Business District, RM-5 – Multi-Family Residential RM-10 – Multi-Family Residential

ZONING HISTORY

Previous Request on same property: Town Council approved the plat, P 2-1-90 The Orange Drive – Pine Island Plat (148-31), on August 15, 1990.

The Pine Lake site plan, SP 7-4-91, for 118 Single Family Dwelling Units on 24 acres was approved by Town Council on October 16, 1991.

Site plan SP 6-4-92, Pine Island Bay, for the construction of model units and a sales office was approved by Town Council on August 19, 1992.

On April 21, 1993, Town Council approved SP 3-4-93, Pine Island Bay at Alpine Center.

Discount Auto Parts site plan, SP 11-6-95, was approved by Town Council on January 17, 1996.

On March 3, 1999, Town Council approved the site plan SP 2-1-99, Chevron.

APPLICATION DETAILS

Petitioner is requesting to amend the restrictive note on the “Orange Drive – Pine Island Plat” to reflect the proposed level of development.

Current Plat Note: This plat is restricted as follows: Parcel ‘A’ – 15,000 square feet of commercial, Parcel ‘B’ – 118 detached single family homes, Parcel ‘C’ – 4.26 Acres of public park, Parcel ‘D’ – 0.59 acres of utility site.

Proposed Plat Note: This plat is restricted as follows: Parcel 'A' – 13,000 square feet of commercial and a charter school comprised of 18,288 square feet of elementary school use and 9,144 square feet of middle school use, Parcel 'B' – 118 detached single family homes, Parcel 'C' – 4.26 acres of public park, Parcel 'D' – 0.59 acres of utility site.

Applicable Codes and Ordinances

The effective code of ordinances governing this project is the Town of Davie Land Development Code.

The Broward County Land Development Code requires Delegation Requests for plat note amendments.

Significant Development Review Agency Comments

Broward County Development Management Division is the County lead agency in assessing the impact of development through the plat and/or delegation request process. Broward County requires that the petitioner request to amend or revise the level of approved development on the plat. Such requests must be approved by the local municipality and County Commission, and then subsequently recorded against the plat. As part of the delegation request process, the property would be reviewed for traffic concurrency and assessed any additional traffic impact fees, or mitigation measures, as applicable.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 5. Planning Area 5 is bound by Nova Drive on the north, University Drive on the east, and Nob Hill Road on the west. The southern limits are SW 36 Street, on the western portion. This planning area is comprised of residential uses developed at a density of three to 22 dwelling units per acre and commercial development, existing and proposed, along the University Drive and Orange Drive corridors. The Pine Island Ridge, classified as environmentally sensitive, has been preserved within this planning area.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 99.

Broward County Land Development Code: The Broward County Land Development Code requires that any changes or waivers to requirements of development permit applications be reviewed and approved or disapproved by the municipality with final approval by Broward County Commission.

Applicable Goals, Objectives & Policies: The proposed plat is generally consistent with the goals, objectives and policies of the Comprehensive Plan.

Staff Analysis/Findings of Fact

The proposed amendment is consistent with the existing and proposed use of the subject site. Only Parcel A is affected by this delegation request. The possibility exists of increased trips to the regional road network at certain times of the day during school opening and closing. This possibility shall be determined by Broward County. Approval of this request is subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the delegation request shall be deemed denied by the Town of Davie. Staff has no objection to the request.

Staff Recommendation

Recommendation: Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Exhibits

1. Justification letter
2. Plat
3. Future Land Use Map
4. Zoning and Aerial Map

Prepared by: _____

Reviewed by: _____

November 14, 2002

**RE: JUSTIFICATION STATEMENT
ORANGE DRIVE – PINE ISLAND PLAT (PB 148, PG 31)
CT&A PROJECT NO. 02-0107**

CRANEN THOMPSON



& ASSOCIATES INC.

Engineers
Planners
Surveyors

To permit the development of a Charter School on the above-referenced plat, the note must be amended to allow such use. The note is proposed to be amended to reduce the commercial use square footage by 2,000 SF and to allow the Charter School use. The proposed Charter School is to be comprised of 18,288 SF of Elementary School use and 9,144 SF of Middle School use.

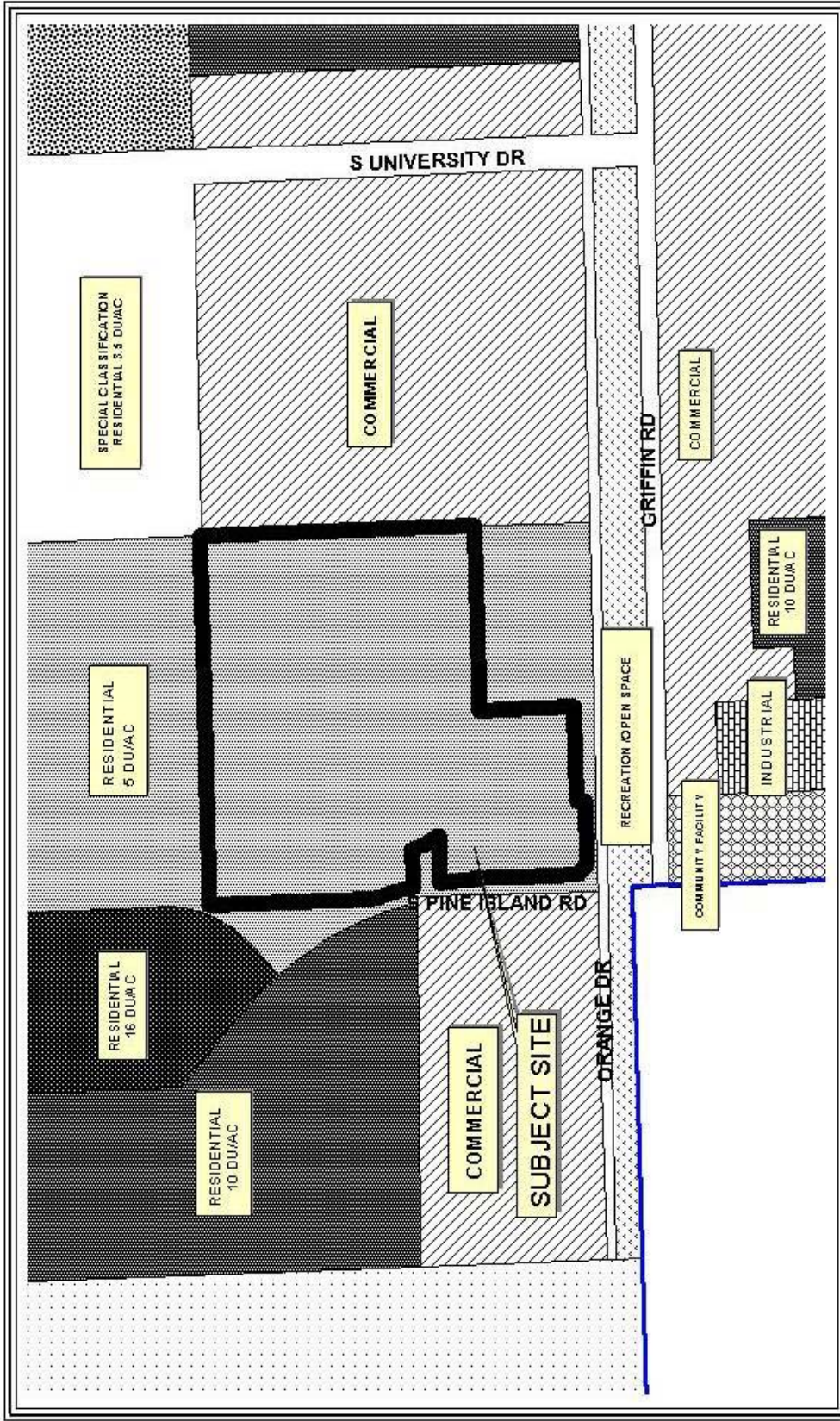
3563 N.W. 53rd Street
Fort Lauderdale, FL 33309-6311
(954) 739-6400
Fax (954) 739-6409

West Palm Beach

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TOWN OF DAVIE
PLANNING & ZONING DIV.



Planning & Zoning Division



DELEGATION REQUEST **DG 11-2-02** **Future Land Use Map**

Prepared By: ID
 Date Prepared: 11/25/02



Date Flown:
12/31/00



500 0 500 Feet

Planning & Zoning Division



DELEGATION REQUEST **DG 11-2-02** **Zoning and Aerial Map**

Prepared By: ID
Date Prepared: 11/25/02